



AN
ADDRESS
CONTAINED
TO THE
SUBSCRIBERS
FOR THE
HISTORY AND ANTIQUITIES
OF THE
COUNTY PALATINE
OF
DURHAM:
WITH A
SKETCH OF THE MATERIALS FROM WHENCE
THE INTENDED PUBLICATION IS COMPILED.

BY
WILLIAM HUTCHINSON, F. A. S.

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THE various unforeseen circumstances, which have hitherto delayed the publication of this work, the Author hopes, will apologize to his Subscribers when laid before them; and the acquisition of many valuable materials, which greatly enrich the Compilation, he flatters himself, will compensate the trespass committed on their patience.

A short account of the method pursued in this work seems necessary to demonstrate the value of those Manuscripts, which have lately been obtained.

ATTENTION to the most distant antiquity, may appear to the learned Reader not sufficiently engaging to detain him from those Events, which are strictly Provincial; yet the neglect of a general view of this County, in the earliest ages, would disappoint others: Therefore, in the Introduction, I shall in a cursory manner pay attention to those times which precede the accession of the ROMANS, and notice the conquest made by them of the Province of BRIGANTIA, their departure, the calling in of the Saxons and foundation of their Monarchy in Northumberland, with the succession of Sovereigns in BERNICIA and DEIRA, until the union of those States under OSWALD. In this period, the state of the Christian Church in the Northern parts of Britain, shall be noted, and the manners and customs of the people described.

THE work opens with the conversion of the Northumbrian Saxons, and the foundation of the See of LINDISFARNE.

It would be useless to mention the various ancient authors, whose labours furnish materials for this part of the work, or to recapitulate the many publications well known to the learned reader, which will be critically referred to, on every occasion throughout the whole. Soon after the Prelates were settled at LINDISFARNE, they appear to have taken a part in the affairs of Government, and indeed, the situation of Religious Societies was such in the infancy of Church Establishment, that on every convulsion of State and revolution of Empire, they were in imminent peril; so that it becomes indispensibly necessary in carrying on a history of the progress of the See, to weave and mingle therewith the material events of State, more especially where the Provincial injunctions and ordinances were a mixture of maxims Civil and Clerical. If it appears necessary to introduce the affairs of Government in the early stages of our Bishoprick, how much more important doth it seem, when our Prelates held high Offices under the Crown, led forth the troops of their Province, were Embassadors making League and Truce, and when this Palatinate became a barrier between two hostile Nations, and often the scene of battle. These are briefly noticed here, to account for interweaving so much of the general history with the annals of our Prelates: The rehearsal of local Events must be abrupt, and material facts unconnected and unpleasant in the relation, if not carried on in a short successional line of circumstances for their introduction, thereby rendering such Events more interesting to the Reader, and by enlarging the limits of Provincial history, giving a more pleasing channel to the narrative. By this method, the reader will also be enabled to collect the traits of character which every Prelate displayed in his public or private Capacity, and to read the Man divested of the robes of Pontificacy.

It was not till after the Episcopal seat was at DURHAM, that we hear any thing of the Civil Jurisdiction being vested in the Prelates. WALCHER, whose accession was in the year 1072, was the first that wore that Imperial Mitre, which in after ages became so distinguished, and with the Clerical character mixed the rights and privileges of a Sovereign, thereby erecting an English Popedom. The ambitious BEKE in maintenance of his regal authority within this Province, touching forfeited Estates, for which he contended with the Crown, alledged in Parliament, *that the Bishops of Durham had from antient time all regal rights and Jurisdiction within their Royal Liberty of Durham from the time of the Conquest and antecedent thereto.* “ This privilege is founded upon Prescription immemorial, beause there is no record of its being granted by any Princes before the Conquest
 “ or since, wherein it is not supposed to have been granted also by their predecessors;
 “ it proceeded at first from a principle of Devotion to St. CUTHBERT, that whatever
 “ Lands were given to him, or bought with his money, he should hold them with the
 “ same freedom that the Princes who gave them held the rest of their Estates; but this piety to the Saint was not without its prudential purposes all along, both for the service
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“ of the Crown in the Wars with Scotland, and also for the service of the Country,
 “ because of its distance from the Courts of Law above.”

IN the Annals of Bishop WALCHER and his Successors, all the evidence obtained by laborious research will be laid down, to define, of what the PALATINE power consisted in the exercise of its authority, and into one point of view will be collected whatever our most learned Writers have said concerning it. For as the regal jurisdiction in this Province is alledged to be prescriptive, it is from Writers of Antiquity only we can trace the original sense entertained of the authority of a PALATINE, and from successional acts coming into ages of learning and research, that we can learn the real power of that species of Jurisdiction. It was an ancient maxim, *Quidquid rex habet extra Comitatum Dunelmensem, Episcopus habet infra, nisi aliqua sit concessio aut præscriptio in contrarium.*

THE Bishops had great extent of power, as the several Records quoted in the course of the work, under each Episcopacy will evince. They levied taxes for the defence and service of the Palatinate, and made truces with Enemies; raised defensible troops within the liberty from sixteen to sixty years of age, and impressed Ships for war; they sat in judgment of life and death, and held execution by life and limb: They had power to create Barons, who formed their Council or Parliament, and with their Vassals were bound to attend the Bishop's summons in time of public exigency: The greatest part of the Lands within the liberty were held of the Bishops as Lords Paramount, in Capite: They coined money, granted licences to embattle Castles, build Churches, found Hospitals and Chuntries; instituted Corporations by Charter, to which the Crown's assent was not essential to maintain their legality, and granted Fairs and Markets: They had all manner of Royal Jurisdiction both Civil and Military, by Land and by Water; for the exercise whereof they held proper Courts, and appointed Officers and other Ministers of every department, as well such as the Crown nominates without the liberty, as those the King had been used to depute, according to the exigencies of special cases, and for the Execution of Acts of Parliament. The Bishops Officers by Patent are, the Temporal Chancellor, Constable of Durham Castle, to whom belonged the care of the Levies, the custody of the Armour and pay of the troops; the high Chamberlain, the under Chamberlain, Secretary of State, Steward, Treasurer, Comptroller of the Household, Master of the Horse, Stewards of the Manors and Halmote Courts, Sheriff, Prothonotary, Clerks of the Chancery, Crown and Peace, Keeper of the Rolls, Cursitor, Registers and Examiners in Chancery, Clerk of the County Court, Stewards of Borough Courts, Eschaetors, Feodaries, Auditors and under Auditors, Clerks of the receipt of the Exchequer, Supervisors of Lordships, Castles, Mines of Coal, Lead and Iron, Coroners, Conservators of Ports and Rivers, Officers of Marshalsea, Clerks of Markets, Keepers of the great Seal, of Ulnage, of the Wardrobe and
 Harness,

Harnes, and Master Armourer. They had several Forests, Chaces, Parks and Woods, where they had their Foresters, who held Courts in their name, and determined matters relative to Forests, Parks, Rangers and Palekeepers. They were Lord high Admirals of the Sea and Waters, that lie within or adjoining the County Palatine, had Vice Admirals and Courts of Admiralty, Judges to determine according to the Maritime Laws, Registers, Examiners, Officers of Beaconage, Anchorage, &c. and awarded Commissions, to regulate Waters and passages thereon. "Thus by themselves and Officers, they did Justice to all persons, in all cases, without either the King or any of his Officers interfering ordinarily in any thing. Whatever occasion the King had within this liberty, his Writs did not run here, they were not directed as to his own Officers in other Counties, but to the Bishop himself, or in the Vacancy of the See, to the proper Officers of the Palatinate. When King Henry the II. sent his Justices of Assize hither upon an extraordinary occasion of Murders and Robberies, he declared by his Charter, that he did it with the licence of the Bishop, *et pro hac vice tantum*; and that it should not be drawn into custom either in his time, or in the time of his heirs, not being done but upon absolute necessity; and that he would, nevertheless, have the Lands of Saint Cuthbert to enjoy its Liberties and antient Customs as amply as ever."

IT was not 'till after WILLIAM DE CARILEPHO's accession to the See in 1086, that the regal rights of our Prelates received confirmation in writing from the Crown: After the coming in of the NORMANS, Deeds and Writings under Seal gained general acceptance, and every material transaction was conducted under written muniments: Preceding that æra, most of the public Records were only entries in *testimonium*, attested by the parties present, as Registers of the fact, who thereto subscribed their names under the sign of the Cross, and from that important period in our Provincial History, the long series of Records, to which I shall have occasion to refer, will appear.

THE Work will consist of *two* Volumes. The *first* comprehends the Annals of the Bishops with their several acts of Jurisdiction, embellished with many Portraits, Seals, Coins, Arms, &c.

THE *second* comprehends local descriptions, with the peculiar history of each part of the County, thrown into Parochial divisions. The CITY of DURHAM is treated of at large, and in progressive order the Charters of Incorporation are inserted, particularly the new one granted by the present Bishop. In this arrangement of City records, is a *fac simile* of Bishop PUDSEY's Charter, with the Pope's confirmatory Bull, a Plate presented by Mr. G. ALLAN, and engraved by that incomparable artist *Stephens*; by whose death the Author hath lost a great assistant, and the public one of the most accurate workmen of the age. Under this head, lists of the chief Magistrates of the City, and Representatives in Parliament will be inserted. Great attention is paid to the history

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of the Cathedral, which is embellished with two correct draughts and admeasurements of the North and East fronts, by an eminent Architect employed in the present costly repairs now carrying on; and each part thereof and other Monastic buildings described, with a comparative view of their antient magnificence and present state. Short anecdotes of the Priors, Deans, Prebendaries, and other Ministers, with historical notes and Monumental Inscriptions will be inserted. The Endowment by K. Hen. VIII. will be given at length, with the Statutes and other Muniments; to which are added a number of Records hitherto withheld from the public: In like manner the Author passes through every other public building and place of consequence, and throws in Engravings of all the remains of Antiquity, Castles, and principal Seats, some of which have been contributed as an encouragement to the work, by the late JOHN CUTHBERT Esq; JOHN TEMPEST and TIMOTHY HUTCHINSON Esquires, Mr. ALLAN and others.

As the Author proceeds in Parochial Divisions, he takes for his guide the Book of Rates, made for collecting the Royal Aid under the Statutes of 16 and 17 of Charles II. Each Parish Church is described, and engravings given of the most remarkable; due attention is paid to things memorable recorded in the Registers, and Monumental Inscriptions; and the supposed value of each Living shewn, and the Incumbents in succession thrown into the notes. Under this division, every thing remarkable in Antiquity or rare in nature is treated of, and some of the most singular monuments represented. The foundations and privileges of each religious House, Hospital, Gild and Chantry are set forth, with engravings of all the Seals extant.

ALL Gentlemens Seats are described and antient possessors noted, with Genealogical Tables, not only of the principal Families existing, but such as are extinct, and were once of consequence in the County, together with transcripts of Visitations in the Libraries of JOHN TEMPEST and MARMADUKE TUNSTALL Esquires, whose liberality demands every grateful acknowledgment. These are compleated by the additions of Mr. ALLAN, whose indefatigable labour has accumulated most of the materials, from which this work is compiled, and from whose unexampled bounty and generosity they are submitted to the author's arrangement for the public Eye.

A short account of the STAPLES of this County will be presented, its Trade and Manufacturies, with the Imports and Exports: Comparative tables from the Church Registers for 20 years of the last and present Century are inserted, to shew the state of Population, communicated by the respective Clergy, whose attention hereto has been singularly kind.

A cursory view of the NATURAL HISTORY of each district is introduced, with delineations of such productions as are curious, and a short account of the STRATA found in the Mines, with drawings and admeasurements from the works.

PROGRESSIVE

PROGRESSIVE observations will be made as the Itinerary advances, on AGRICULTURE, produce of the Lands, growth of Timber, and breeds of Cattle, with other matters equally interesting to the Inhabitants.

HAVING given a cursory view of the manner in which this Work will be executed, the MATERIALS from whence it is chiefly compiled, shall next be noticed; and this the Author is more particularly induced to do, as, since his proposals were offered, a publication has appeared from the Clarendon Press, intitled *Collectanea Curiosa* taken from the Manuscripts of Archbishop SANCROFT in the Bodleian Library, wherein is a compendious arrangement of Materials necessary for constructing a work like this.

THE first Record noted, is, the Doomſday Book of this County, called *BOLDON BUKE*, from the Survey which it contains, having reference in many Lordships to the Manor of *Boldon*, touching the services of the Tenants, "*sicut in Boldon*". The Editor gives several Extracts, which he says were collated with the transcript, lodged in the Bodleian Library *. The Original Survey is deposited in the Auditors Office at Durham, and bound up with a succeeding Survey made by order of Bishop Hatfield. It is wrote on Vellum, and thus indorsed. "*Supervisus temp. Hugonis Epi. 1183, et Supervisus temp. Thome Hatfeld Epi*". The first is wrote in a compact hand and contained in 24 pages; the latter in a looser hand of 187 pages, and more comprehensive.

It was not till after Proposals were offered to the public, that these Records were obtained, and they are introduced through the work, as they appertain to the place described, thereby rendering them less tedious to the Eye, and much readier in application than in an Appendix: This required much labour and attention to execute, and necessarily has delayed the Publication.

THAT laborious Collector of Records the Rev. Mr. THOMAS RANDALL, late Master of the Grammer School in Durham, employed the leisure of his whole life in searching the several Repositories there, and I have before me fifteen large Volumes in Manuscript, consisting of upwards of 300 pages each, copied therefrom with that accuracy, for which he was singular.

In the Chapter Treasury and Library, it is said, there are above ninety Royal Charters and Grants, above fifty Deeds by Nobles and Barons, about 266 by Gentlemen, 131 by Popes, Bishops, Abbots, Priors, Convents and other Religious Persons and Houses, and above 130 other Original Deeds and Copies, which will amount in all to about 670. In Mr. Randall's Collection are Copies of all the Grants, Conventions and other Instruments that are curious, and entered in the Chartularies of the Chapter, not only from his own inspection, but gathered from the labours of Dr. Hunter and Mr.

* See Gough's Anecdotes of British Topography V. I. p. 336.

Mr. Gabriel Swainston, whose amusements led that way. These Volumes also contain extracts from the Copyhold Books of the Bishop, copies of a series of the close Rolls of the Chancery, minutes of the Visitation Books and Registers of all the Prelates &c. Also two large folios of the Inquisitions post mortem taken before the Bishop's Sheriffs and Eschaetors, within the liberties of Durham and Sadberge, and another of the Wills of such Persons as have founded public Charities; and other matters equally important to a Work of this kind. All this Fund was bequeathed by Mr. Randall's Will to Mr. Allan, and is part of his Collection opened for my use: The materials were unarranged and without Index, so that tho' the Treasure was great, the labour of digesting was infinite.

MR. SPEARMAN made Collections in an unfortunate dispute with the then Prelate (CREWE) and published a small tract in quarto, intitled, "*An Enquiry into the antient and present state of the County Palatine of Durham &c. 1729*", and therein referred to all such records as he had received information from: Those noticed, were inspected, and notes taken thereof at Bishop CREWE's instance, an original Manuscript whereof, is dated 21 February 1697, mutilated by Spearman's publication, but apparently the Manuscript to which he was indebted: His other Papers fell into hands disinterested in matters of that kind, and as said, are lost. The late THOMAS GYLL Esq; of Durham, has remarked in writing, "that most, or all of this Gentleman's Papers came to the hands of Gilbert Spearman Esq; who by Will dated 14 October 1736, bequeathed them to his Son George Spearman, and desired, that such parts, relating to the County Palatine of Durham, as were thought proper, might be published, and earnestly recommended to his Son, not to make them his study but his diversion; which I am verily persuaded George out of filial duty did most religiously observe," and the fact proved so, for he suffered them to be wasted and thrown away. Tho' the late Mr. Cuthbert of Witton informed Mr. Allan, that he knew where many of these MSS. were, and promised to procure them for his use, when he got up to London, but unfortunately he died on the Road thither.

MR. MICKLETON's Papers were more fortunate; he had made considerable Collections, and Mr. Randall laments their imagined loss (as he never saw them) in these words; "Mr. Mickleton, a Counsellor at Law in Durham had collected some Evidences touching the Palatinate, and his Executors sold his Papers to Mr. Gilbert, so that they are lost to the public, save what appears in Mr. Spearman's Book."

JOHN RUDD Esq; of Durham, an eminent Counsellor at Law, had an inspection thereof, and happily thought them of sufficient importance to make full extracts of every material matter therein, and gives the following account thereof.

TITULUS *primi Lib.*—De Officiis et Officiariis temporalibus, infra Episcopatum et Comitatum Palat. Dunelm; et de aliis rebus et materiis temporalibus tangentibus Episcopos Dunelmenses et Comitatum Palatinum et Episcopatum Dunelmensem.

LIBER secundus,—*sine ullo titulo.*

LIBER tertius.—De potestate Dom. Episcoporum Dunelm. ut Admiral. infra regalem libertatem suam Dunelm; et in, et supra aquas in eadem libertate sua; et tangens Wreccam Maris in eisdem contingentibus; et de Pontibus et aliis regiis viis in libertate prædicta.

LIBER quartus.—De potestate Dominorum Episcoporum Dunelm. in arraiando homines armatos defensibiles infra libertatem suam regalem Dunelm: Et de commissionibus eorundem Episcoporum et postea regum Angliæ amanatis premissis tangentibus: Et de monstrationibus seu armilustrariis hominum armatorum et aliorum a 16 usque ad 60 infra regalem libertatem Dunelm.

WILLIAM RUDD Esq; has lately been pleased to open the treasures of his Library: The eminence that family held at the Bar, gives the greatest importance to their collections. From this channel, the Author has received two Volumes of a compleat series of Extracts from the Curfitors Rolls, and in three folios, innumerable copies of Charters, Grants and other public Instruments, together with Mickleton's Collections, which, it is not doubted, will amply apologize for the delays that have hitherto befallen this intended Publication.

“BREVITTS, tho' of no authority in point of evidence, yet for information are often useful, discovering what suites have formerly depended, directing to the Records, and often explaining their meaning, and giving us the several pleadings and proceedings therein, with the best discovery of the merit and mystery of the cause. The Attorneys or Solicitors who keep these Brevitts after the Causes are determined, are the persons capable of supplying us; particularly those of the greatest business, they having most of them*.” By the author's extensive acquaintance with Gentlemen of the Law, and other connections, he is possessed of several, touching boundary Causes and others of the first importance in the County, which it might give offence to eminent Characters to name.

THE late THOMAS GYLL Esq; was a skillful Antiquarian, had a fine taste in the Belles Lettres, and held correspondence with Persons of the first eminence in that walk: He made many Collections and Observations touching this County, which he communicated to Mr. Allan and are now before me.

MR. MANN who was Deputy Clerk of the Peace and County Treasurer many years, made considerable collections, from whose labours, given to Mr. Allan in his life time, the

HISTORY of the COUNTY of DURHAM 9

the Author derived the accounts dispersed through the work, of public Assessments and Money Charges, together with many materials relative to the Church, City, and County at large.

MR. RALPH HODGSON, an eminent Attorney, and Steward to several Prelates, had collected many curious matters touching the Bishop's Revenues and Church Lands, whose Manuscripts and Papers were also communicated to Mr. Allan.

Two Manuscript Volumes of the late COUNCELLOR GREY of Newcastle, have been kindly lent by MR. ABBS of Weremouth, from whence great assistance is gained in historical notes and references, touching the several Prelates and inferior Clergy hitherto unknown.

CONSIDERABLE assistance has likewise been received from Mr. ROBERT HARRISON of Durham, and Mr. JOSEPH RITSON of Grays Inn London, whose researches, in the Harleian and Cottonian Libraries, have furnished several valuable transcripts, especially an historical Poem on the Battle of Durham fought October 1346, known by the title of the *Battle at Nevill's Cross* which will be inserted at full length.

In a valuable Manuscript communicated by Sir JOHN LAWSON, many particulars are recorded of the Riches, Rites, and Ceremonies of the Church at Durham: And in a long Paper Roll about five inches broad, written in a clear antient hand, communicated by JOHN HOGG Esq; of Norton, is discovered the original perhaps, or at least the whole contents of DAVIES'S RITES, and from which the 105th. page of the COLLECTANEA CURIOSA is composed.

W. H. MILBOURNE Esq. of Armathwate Castle in Cumberland, JOHN LAWSON MAIRE Esq. of Lartington in Yorkshire, and many other Gentlemen, have also favoured me with some Manuscripts from their respective Libraries.

THE evidences of several private families have been inspected, and every thing interesting to the public carefully extracted.

To close this account of my materials, I should be unpardonable were I to omit the assistance of my kind friend Mr. ALLAN, whose Library has been generously laid open to me, together with the use of five large Manuscript Volumes of the Parochial history, arranged and digested by himself; besides innumerable collections from various authorities and records, with Charters, Seals, Coins, and other Antiquities. It is to his bounty that the work will be embellished with many curious and valuable Plates, Pedigrees of families &c:

SUCH

10 ADDRESS to Subscribers for HISTORY of DURHAM.

SUCH Materials, like gems in the hand of the jeweller, cannot lose their intrinsic value, in their present arrangement. And if the following work should be considered as little better than a mere repository, by means of which a more happy Compiler may display them in a more judicious manner, I shall have a secret pleasure in having been the humble and laborious instrument in collecting the Materials of his nobler edifice.

Barnardcastle,

1 April 1784,

William Hutchinson.

